

**1. CALL TO ORDER**

Mayor McBride called the meeting to order at 7:04 p.m.

- 2. "Sunshine Law" Announcement-**Adequate notice of this public meeting has been provided by the Annual Notice; posted on Union Township website, published in the Hunterdon County Democrat and Courier News; posted on the public bulletin board and on file in the Municipal Clerk's Office.

**3. FLAG SALUTE****4. ROLL CALL**

	Present	Absent
Mr. Severino	X	
Mr. Mazza	X	
Mr. Hirt	X	
Ms. McBride	X	
Mr. Bischoff	X	

**5. APPROVAL OF PRIOR MEETING MINUTES**

- a. Regular and Executive Session Meeting Minutes of April 3, 2013. Changes to Executive Session Minutes will be done during Executive Session.

Motion to approve Regular Meeting Minutes of April 3, 2013 only.

Roll Call Vote	Moved	Seconded	Ayes	Nays	Abstain	Absent
Mr. Severino		X	X			
Mr. Mazza	X		X			
Mr. Hirt			X			
Ms. McBride			X			
Mr. Bischoff			X			

Motion carried

**6. VISITORS - None****7. REPORTS RECEIVED**

- a. Dept. of Roads & Facilities- Week Ending 04/05/13.  
 b. Municipal Court – March 2013. Mr. Mazza inquired as to why this was the worst quarter in ticket revenue in the last five. Discussion of violations report.  
 c. Engineer's Report

**8. CORRESPONDENCE / WRITTEN COMMUNICATIONS**

Mr. Hirt reported the following correspondence: None

Mr. Severino reported the following correspondence:

- NJLM re: Water Quality Planning Grant Money Availability. Hold for the Engineer.

- Sunesys, Inc. Re: Proposed Rights-of-Way Use Agreement. The Attorney will speak to some of the adjoining Municipalities about how they plan to work with Sunesys.
- NJ Transit Corp. Re: FY 2013 Request for Federal Financial Assistance.

Mr. Bischoff reported the following correspondence: None

Ms. McBride reported the following correspondence:

- NJLM Re: Urgent Action Needed to Advance Restoration of Energy Receipts Bills. Discussion of status. Mayor requested Mr. Bischoff to check with our Assembly representatives for their thoughts on A-2753.

Mr. Mazza reported the following correspondence: None

## 9. PUBLIC COMMENTS

Bill Nelson of Bethlehem/Union Townships asked “What is the definition of delaying Traffic Summons” in Union Township. A brief discussion of the causes. Inquired about the chicken ordinance and voiced his concerns about chickens in residential developments due to noise concerns.

## 10. PUBLIC HEARING

## 11. OLD BUSINESS

## 12. NEW ORDINANCE – 1<sup>ST</sup> READING

## 13. NEW BUSINESS

- a. Following Resolution introduced for adoption:

### RESOLUTION #2013 - 60

#### RESOLUTION SUPPORTING S-1896/A-1503 SHARING THE BURDEN OF PROPERTY ASSESSMENT APPEAL REFUNDS

**WHEREAS**, when County Tax Board appeals are successful, the municipality must reimburse the property taxpayer 100% of the appealed tax levy, which includes the municipal, school, county and any special districts tax; and

**WHEREAS**, the municipal tax collector must then adjust the taxpayer’s fourth quarter tax bill, resulting in the municipality’s fund balance for the preceding year being diminished, if not completely depleted; and

**WHEREAS**, in recent years, municipalities have experienced a large spike in tax appeals caused by the economic down-turn, which lowered property values and placed increased stress on the income of homeowners all around our Garden State; and

**WHEREAS**, successful tax appeals have a four-fold negative impact on municipal budgets; first by requiring the municipality, as the collector of taxes for the School district, county and special districts, to fund the full cost of the legal defense of the assessment; and

**WHEREAS**, the second negative impact on municipal budgets results from State law, which guarantees to the county and the school district 100% of their levies, hence forcing the municipality to bear the full cost of any reimbursements resulting from the appeal, as well as the full burden for any uncollected taxes; and

**WHEREAS**, the third negative impact on municipal budgets ensues because the refunds and credits negatively impact the municipality's tax collection rate, resulting in a State required increase in the appropriation for the Reserve for Uncollected Taxes (a non-exempt from cap budget expenditure); and

**WHEREAS**, fourth, the end result is a further decline in the property tax base used to support municipalities, county governments, school systems and any fire or other special purpose districts, which will necessitate tax rate increases to raise the same amount of revenue; and

**WHEREAS**, in light of the revenue limitations that have been placed on all levels of local government by the Legislature (2% cap), such declining values will compound and add additional stress to local public officials, as they grapple with the issues confronting the tax paying public.

**WHEREAS**, Senator Anthony R. Bucco, Assemblyman Michael Patrick Carroll and Assemblyman Anthony M. Bucco have recently introduced Senate Bill S-1896/Assembly Bill A-1503, which requires fire districts, school districts, and county governments to share in burden of property assessment appeal refunds;

**NOW, THEREFORE, BE IT RESOLVED**, by the Township Committee of the Township of Union hereby urge the swift passage and signing of S-1896/A-1503; and

**BE IT FURTHER RESOLVED**, that copy of this Resolution be forwarded to New Jersey Governor Christopher Christie, to Senate President Stephen Sweeney, to Assembly Speaker Sheila Oliver, to our State Senator, to our two Representatives in the General Assembly, and to the New Jersey League of Municipalities.

Roll Call Vote	Moved	Seconded	Ayes	Nays	Abstain	Absent
Mr. Severino	X		X			
Mr. Mazza			X			
Mr. Hirt		X	X			
Ms. McBride			X			
Mr. Bischoff			X			

Motion carried

b. Following Resolution introduced for adoption:

**TOWNSHIP OF UNION  
COUNTY OF HUNTERDON  
STATE OF NEW JERSEY**

**DRAFT 4-11-13**

**RESOLUTION #2013-61**

**Adopting Changes to Section 1.2, Americans with Disabilities Act Policy,  
Section 1.13, Access to Personnel Files Policy and Section 2.9, Systems Privacy,  
Including E-mail, Voice Mail, Computer and Internet Usage Policy  
of the Township of Union Personnel Policies and Procedures Manual**

**WHEREAS**, there is a need to amend the Americans with Disabilities Act Policy, Access to Personnel Files Policy and Systems Privacy Policy (Including E-mail, Voice Mail, Computer and Internet Usage), sections of the Township of Union Personnel Policies and Procedures Manual, to reflect changes recommended by the Municipal Excess Liability Joint Insurance Fund; and good cause appearing

**NOW, THEREFORE, BE IT RESOLVED** that the attached changes to Sections 1.2, 1.13 and 2.9 of the Township of Union Personnel Policies and Procedures Manual are hereby adopted, and the Personnel Policies and Procedures Manual is hereby amended accordingly; and

**BE IT FURTHER RESOLVED** that copies of the attached changes shall be provided by the Township Clerk/Administrator to all employees of the Township of Union.

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Ella M. Ruta, Clerk

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Michele A. McBride, Mayor

## **1.2 Americans with Disabilities Act Policy:\***

In compliance with the Americans with Disabilities Act the ADA Amendments Act and the New Jersey Law Against Discrimination, the Township does not discriminate based on disability. The Township will endeavor to make every work environment handicap assessable and all future construction and renovation of facilities will be in accordance with applicable barrier-free Federal and State regulations and the Americans with Disabilities Act Accessibility Guidelines as well as the ADA Amendments Act.

It is the policy of the Township to comply with all relevant and applicable provisions of the Americans with Disabilities Act and the New Jersey Law Against Discrimination. We will not discriminate against any qualified employee or job applicant with respect to any terms, conditions, or privileges of employment on the basis of a known disability. We will also make reasonable accommodations to known physical or mental limitations of all employees and applicants with disabilities, provided that the individual is otherwise qualified to safely perform the essential functions of the job and also provided that the accommodation does not impose undue ~~under~~ hardship on the Township.

The Municipal Clerk shall engage in an interactive dialogue with disabled employees and prospective employees to identify reasonable accommodations. All decisions with regard to reasonable accommodation shall be made by the Municipal Clerk. Employees who are assigned to a new position as a reasonable accommodation will receive the salary for their new position. The Americans with Disabilities Act does not require the Township to offer permanent "light duty", relocate essential job functions, or provide personal use items such as eyeglasses, hearing aids, wheelchairs, etc.

Employees should also offer assistance, to the extent possible, to any member of the public who requests or needs an accommodation when visiting Township facilities. Any questions concerning proper assistance should be directed to the Municipal Clerk.

## **1.13 Access to Personnel Files Policy:\***

The official personnel file for each employee shall be maintained by the Municipal Clerk. Personnel files are confidential records that must be secured in a locked cabinet and will only be available to authorized managerial and supervisory personnel on a need-to-know basis. Records relating to any medical condition will be maintained in a separate file. Electronic personnel and medical records must be protected from unauthorized access. ~~Any employee may review their file in the presence of the Municipal Clerk upon reasonable notice.~~

Upon request, employees may inspect their own personnel files at a mutually agreeable time on the Township premises in the presence of the Municipal Clerk or a designated supervisor. The employee will be entitled to see any records used to determine his or her qualification for employment, promotion or wage increases and any records used for disciplinary purposes. Employees may not remove any papers from the file. Employees will be allowed to have a copy of any document they have signed relating to their obtaining employment. Employees may add to the file their versions of any disputed item. Personnel files do not contain confidential employee medical information. Any such information that the Township may obtain will be maintained in separate files and treated at all times as confidential information. Any such medical information may be disclosed under very limited circumstances in accordance with any applicable legal requirements. The Township endeavors to maintain the privacy of personnel records. There are limited circumstances in which the Township will release information contained in personnel or medical records to persons outside the Township. These circumstances include:

- In response to a valid subpoena, court order or order of an authorized administrative agency;
- ☐ To an authorized governmental agency as part of an investigation of the Township's compliance with applicable law;
- ☐ To the Township's agents and attorneys, when necessary;
- ☐ In a lawsuit, administrative proceeding, grievance or arbitration in which the employee and the Township are parties;
- ☐ In a workers' compensation proceeding;
- ☐ To administer benefit plans;
- ☐ To an authorized health care provider;
- ☐ To first aid or safety personnel, when necessary; and
- ☐ To a potential future employer or other person requesting a verification of your employment as described in the following section titled, "Requests for Employment Verification and Reference Procedure."

## **2.9 SYSTEMS PRIVACY\* (included E-Mail, Voice Mail, Computer and Internet Usage Policy):\***

~~Township e-mail, voice mail and the Internet are for official business and use for non-business purposes is prohibited. All e-Mail, voice mail and Internet messages are public records subject to possible disclosure to the public pursuant to the provisions of the Open Public Records Act.~~

~~The Township reserves the right to monitor, obtain, review and disclose all E-Mail messages, computer files, voice mail and Internet messages on the computer and communications systems of the Township as deemed necessary and appropriate. By using Township E-Mail, computer systems, voice mail and the Internet, each user agrees that the Township has unrestricted access and the right to disclose all information communicated or stored on the E-Mail, computer systems, voice mail and the Internet for any security, health, employment or other legitimate business reasons. Legitimate reasons also include systems maintenance, message routing, retrieval of business information, trouble shooting hardware and software problems, preventing system misuse, protecting confidential proprietary information, insuring compliance with software license policies and complying with legal and regulatory requests for information. E-Mail shall not be used to harass, torment or disparage another party. Offensive and harassing communications are unacceptable and prohibited.~~

## MINUTES OF REGULAR MEETING April 17, 2013

~~Except in emergency situations or as part of their officially assigned or regular or permitted duties, employees are prohibited from taking any photographs, pictures, digital images, or audio recordings of any crime scenes, traffic crashes, arrestees, detainees, people, or job related incident or occurrence with any personal analog or digital device, camera, imaging device, audio recorder or cellular telephone. This section also applies in off duty scenarios regarding any law enforcement related activities. Any photographs, images, or recordings taken with any personal device pursuant to or in violation of this section are considered evidence and are subject to applicable laws, code guideline or directive concerning storage release, and disposal. Employees who have recorded any photographs, images or recordings with any personal device shall notify their supervisor as soon as practical. For the purposes of this section, an "emergency situation" involves a sudden and unforeseen combination of circumstances or the resulting state that calls for immediate action, assistance or relief, and may include accidents, crimes and flight from accidents or crimes.~~

~~Employees are prohibited from releasing or disclosing any photographs, pictures, digital images of any crime scenes, traffic crashes, arrestees, detainees, people, or job related incident or occurrence taken with a personal or agency analog or digital device, camera or cellular phone to any person, entity, business or media or Internet outlet whether on or off duty without the express written permission of the Municipal Clerk.~~

~~Employees that maintain personal web pages and web sites, including but not limited to Facebook, YouTube, Myspace, Twitter, etc., shall not post information on such sites that would constitute a violation of the personnel policies of the Township if expressed or published using any other medium or in any other manner. The posting of words, phrases, photographs, images or any kind of information on a personal web site may be grounds for the imposition of disciplinary action against the employee if the words, phrases, photographs, images or information adversely reflects on the employee's fitness for duty or constitutes a violation of the personnel policies of the Township.~~

The Township respects the individual privacy of its employees. However, e-mail, voicemail, Internet, township issued cellular devices and computer network are for official business, and use for non-business purposes is prohibited. All e-mail, voice mail and Internet message are public records subject to possible disclosure to the public pursuant to the provisions of the Open Public Records Act.

**a. Management's Right to Access Information**

E-mail, voicemail and computer network systems have been installed by the Township to facilitate business communications. The contents of the systems are accessible at all times by the Township. These systems should be treated like other shared filing systems. E-mail and voicemail messages, to the extent these systems are utilized, are the Township's records. The Township reserves the right to monitor, obtain, review and disclose all email messages, computer files, voice mail and Internet message on the computer and communications systems of the Township as deemed necessary and appropriate and without prior notice. By using the Township's e-mail, computer systems, voice mail and the Internet, each user agrees that the Township has unrestricted access and the right to disclose all information communicated or stored on the e-mail computer systems, voice mail and the Internet.

**b. Care In Use of E-Mail, Voicemail, Internet and Computer Network Systems**

Employees must exercise a greater degree of caution in transmitting the Township's confidential information on the e-mail, voicemail, Internet and computer network systems than they take with other means of communicating information, because of the ease with which such information can be redistributed and the public access to such information through the

Open Public Records Act. Please make sure that all addressees are appropriate recipients of the information to be distributed, via e-mail, voicemail, Internet, text message or other electronic forms of communication, especially when distributing information to a list of recipients.

Except in emergency situations or as part of their officially assigned or regular or permitted duties, employees are prohibited from taking any photographs, pictures, digital images or audio recordings of any crime scenes, traffic crashes, arrestees, detainees, people or job related incident or occurrence with any personal analog or digital device, camera, imaging device, audio recorder or cellular telephone. This section also applies in off duty scenarios regarding any law enforcement related activities. Any photographs, images or recordings taken with any personal device pursuant to or in violation of this section are considered evidence and are subject to applicable laws, code guideline or directive concerning storage release and disposal. Employees who have recorded any photographs, images or recordings with any personal device shall notify their supervisors as soon as practical. For the purposes of this section, an "emergency situation" involves a sudden and unforeseen combination of circumstances or the resulting state that calls for immediate action, assistance or relief, and may include accidents, crimes and flights from accidents or crimes.

Employees are prohibited from releasing or disclosing any photographs, pictures, digital images of any crime scenes, traffic crashes, arrestees, detainees, people or job related incident or occurrence taken with a personal or agency analog or digital device, camera or cellular phone to any person, entity, business or media or Internet outlet whether on or off duty without the express written permission of the Municipal Clerk.

**c. Personal Use of E-Mail, Voicemail, Internet and Computer Network Systems**

Because the Township provides e-mail, voicemail, Internet, cell phones, and computer network systems to assist employees in performing their jobs, employees should use them for official business. The Township reserves the right to access and disclose as necessary all messages sent over its systems, without regard to content.

Since the contents of e-mail and voicemail may be accessed by the Township without prior notice to employees, and since the Township can monitor employees' use of its computer network systems, employees should not use any of the systems to transmit any messages they would not want to disclose to a third party. Employees that maintain personal web pages and web sites, including but not limited to Facebook, YouTube, Myspace, Twitter, etc., shall not post information on such sites that would constitute a violation of the personnel policies of the Township if expressed or published using any other medium or in any other manner. The posting of words, phrases, photographs, images or any kind of information on a personal web site may be grounds for the imposition of disciplinary action against the employee if the words, phrases, photographs, images or information adversely reflects on the employee's fitness for duty or constitutes a violation of the personnel policies of (local unit type). Moreover, employees should not use these systems for soliciting or proselytizing others for commercial ventures, religious or personal causes, outside organizations or other similar, nonjob-related solicitations.

**d. Forbidden Content of E-Mail, Voicemail, Internet and Computer Network Systems Communications**

Employees may not use the e-mail, voicemail, Internet computer network systems, or Township Issued Cell Phone or any other township issued electronic device in any way that

may be seen as insulting, defamatory, obscene, harassing, disruptive, or offensive by other persons or as harmful to morale. Examples of forbidden transmissions or downloads include sexually-explicit messages; unwelcome propositions; ethnic or racial slurs; or any other message that can be construed to be harassment or disparaging to others based on their actual or perceived sex, sexual orientation, gender, gender identity, transgender, race color, national origin, citizenship status, ancestry, age, marital status, medical condition, mental or physical disability, veteran status, religious or political beliefs, or any other characteristic protected by federal, state, or local law, ordinance or regulation.

Violations of the Township's policy of the use of e-mail, voicemail, Internet, complete network systems and Township Issued Cell Phone or any other township issued electronic device will subject the employee to discipline, up to and including immediate termination.

**e. Unauthorized Access**

Employees are prohibited from the unauthorized use of the password(s) of other employees to gain access to another employee's messages in the e-mail, voicemail, Internet or computer network systems including but not limited to all secured access software that employees may have access to.

Roll Call Vote	Moved	Seconded	Ayes	Nays	Abstain	Absent
Mr. Severino		X	X			
Mr. Mazza	X		X			
Mr. Hirt			X			
Ms. McBride			X			
Mr. Bischoff			X			

c. Following Resolution introduced for adoption:

**TOWNSHIP OF UNION  
COUNTY OF HUNTERDON  
STATE OF NEW JERSEY**

**DRAFT 4-11-13**

**RESOLUTION #2013-62**

**Adopting Changes to Section 4.4, Health Insurance Policy, Section 4.5, Dental Benefits Policy, Section 4.6, Drug Prescription Benefit Policy and Section 4.8, Flexible Spending Account, of the Township of Union Personnel Policies and Procedures Manual**

**WHEREAS**, there is a need to amend the Health Insurance Policy, Dental Benefits Policy, Drug Prescription Benefit Policy and Flexible Spending Account sections of the Township of Union Personnel Policies and Procedures Manual, to reflect changes adopted by the State of New Jersey and the Township of Union; and good cause appearing

**NOW, THEREFORE, BE IT RESOLVED** that the attached changes to Sections 4.4, 4.5, 4.6 and 4.8 of the Township of Union Personnel Policies and Procedures Manual are hereby adopted, and the Personnel Policies and Procedures Manual is hereby amended accordingly; and

**BE IT FURTHER RESOLVED** that copies of the attached changes shall be provided by the Township Clerk/Administrator to all employees of the Township of Union.



\_\_\_\_\_  
Ella M. Ruta, Clerk\_\_\_\_\_  
Michele A. McBride, Mayor**4.4 Health Insurance Policy:**

Eligible employees and their immediate family members, including civil union partner, are provided health insurance coverage administered by the State Health Benefits Plan. The Township reserves the right to change provider networks, claims agents, and insurance mechanisms (fully insured versus health insurance fund, e.g.). The complete benefit plan is on file in the Municipal Clerk's office and a Summary Plan Description will be provided to all employees. Employees shall contribute toward the cost of their medical and prescription insurance plans in accordance with P.L. 2011, chapter 78, as amended and supplemented. Benefit levels, and employee premium contributions, are subject to change in accordance with law.

Health insurance coverage for employees on a Leave of Absence or who cease Township employment will terminate at the end of the month in which the leave begins or employment is terminated except coverage will continue for up to twelve weeks for employees on leave pursuant to the Family and Medical Leave Act and up to thirty weeks for employees on Military Leave. Upon termination of coverage, employees may extend health insurance coverage for themselves or their dependents by taking advantage of the Public Health Services Act provision for a period of up to eighteen months to thirty-six months. All newly hired employees and their spouses shall receive a notice of Cobra rights upon being hired. For more information, consult the Municipal Clerk. **(Res. 2010-82; Res. 2013-\_\_)**

**4.5 Dental Benefits Policy:**

Full time employees and their immediate family members are provided with dental insurance coverage administered by the State Health Benefits Plan. ~~This policy is contributory (or partially funded) by the employee.~~ Further information on this plan will be provided by the Municipal Clerk. **(Res. 2010-82; Res. 2013-\_\_)**

**4.6 Drug Prescription Benefit Policy:**

Full time employees and their immediate family members are provided with a drug prescription benefit policy administered by the State Health Benefits Plan. (See section 4.4 regarding employee contributions toward medical and drug prescription plans.) Additional information on this plan will be provided by the Municipal Clerk. **(Res. 2010-82; Res. 2013-\_\_)**

**4.8 Flexible Spending Account:**

Union Township does not offer Flexible Spending Accounts at the present time.

Roll Call Vote	Moved	Seconded	Ayes	Nays	Abstain	Absent
Mr. Severino	X		X			
Mr. Mazza		X	X			
Mr. Hirt			X			
Ms. McBride			X			
Mr. Bischoff			X			

Motion carried

d. Following Resolution introduced for adoption:

TOWNSHIP OF UNION  
COUNTY OF HUNTERDON  
STATE OF NEW JERSEY

DRAFT 4-11-13

## RESOLUTION #2013-63

**Adopting Changes to Section 3.6, Bereavement Leave Policy, and  
Section 4.11, Educational Assistance and Training Policy,  
of the Township of Union Personnel Policies and Procedures Manual**

**WHEREAS**, there is a need to amend the Bereavement Leave Policy and the Educational Assistance and Training Policy sections of the Township of Union Personnel Policies and Procedures Manual, to reflect changes adopted by the Township of Union; and good cause appearing

**NOW, THEREFORE, BE IT RESOLVED** that the attached changes to Sections 3.6 and 4.11 of the Township of Union Personnel Policies and Procedures Manual are hereby adopted, and the Personnel Policies and Procedures Manual is hereby amended accordingly; and

**BE IT FURTHER RESOLVED** that copies of the attached changes shall be provided by the Township Clerk/Administrator to all employees of the Township of Union.

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Ella M. Ruta, Clerk

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Michele A. McBride, Mayor**3.6 Bereavement Leave Policy:**

a. Full time employees are entitled to five (5) consecutive bereavement days of leave of absence for each death of an employee's spouse or significant other, child, parent, **parent-in-law**, stepchild, sibling, grandparents, daughter-in-law, son-in-law, grandchildren, or any person related by blood or marriage residing in an employee's household.

b. Part-time employees will be entitled to five (5) consecutive bereavement days of leave for each death of an employee's spouse or significant other, child, parent, **parent-in-law**, stepchild, sibling, grandparents, daughter-in-law, son-in-law, grandchildren or any person related by blood or marriage.

c. Other circumstances:

1. For relatives outside the immediate family, which include: uncle, aunt, nephew, niece, brother-in-law/sister-in-law and first degree cousins one (1) bereavement day will be granted for funeral leave.

2. Extended periods may be granted upon request to and under the discretion of the Township Committee. (**Res. 2010-82; Res. 2013-\_\_**)

**4.11 Educational Assistance and Training Policy:**

Subject to sufficient funds in the budget and upon approval of the Supervisor, employees may apply for reimbursement of tuition expenses incurred for training or college courses directly related to the employee's work. The Municipal Clerk or the Township Committee will be the sole judge of whether a particular course or program is "directly related" to the employee's work. Employees are strongly urged to obtain this determination before enrolling in a course or program.

## MINUTES OF REGULAR MEETING April 17, 2013

Employees may receive reimbursement for up to 100% percent of the tuition cost for training or college courses that they take on their own initiative, provided that the employee has received prior approval from the Township Committee, and provided that the employee has a received a passing grade in the course. **100% of the reimbursement must be repaid if the employee leaves Township employment within twenty-four months of receipt. 50% of the reimbursement must be repaid if the employee leaves Township employment within thirty-six months of receipt.** When enrollment for short training courses or seminars is requested by the Township, employees will receive full reimbursement.

The Township may, in its discretion, pay for membership of employees in certain professional associations and organizations such as Clerk's Association, etc., where, membership of the employee in such an organization would be warranted and in the public interest. Application shall be made to the Township Committee with supporting information prior to any commitment being made. (Res. 2010-82; Res. 2013-\_\_)

Roll Call Vote	Moved	Seconded	Ayes	Nays	Abstain	Absent
Mr. Severino	X		X			
Mr. Mazza		X	X			
Mr. Hirt			X			
Ms. McBride			X			
Mr. Bischoff			X			

Motion carried

- e. **Motion to Approve:** Authorizing the Mayor to sign 2013 Scheuing Farm – Open Space Agricultural Lease

Roll Call Vote	Moved	Seconded	Ayes	Nays	Abstain	Absent
Mr. Severino	X		X			
Mr. Mazza			X			
Mr. Hirt		X	X			
Ms. McBride			X			
Mr. Bischoff			X			

Motion carried

- f. **Motion to Approve:** Authorizing the Twp. Clerk to sign Application for Social Affair Permit – Rogers Rescue.

Roll Call Vote	Moved	Seconded	Ayes	Nays	Abstain	Absent
Mr. Severino			X			
Mr. Mazza			X			
Mr. Hirt		X	X			
Ms. McBride			X			
Mr. Bischoff	X		X			

Motion carried

## 14. REPORTS

### a. Attorney's Report

- At the last meeting we adopted a resolution establishing the updated recreation fees for registration and programs and also for non-residents using the facilities. Subsequently, the auditors office suggested we should do this by ordinance rather than resolution.

**ITEM NOT SCHEDULED ON THE AGENDA AND ADDED AT THE MEETING**

Attorney Jost asked that the following Ordinance be introduced on the first reading

**NOTICE**

**PLEASE TAKE NOTICE** that the following Ordinance was adopted on first reading by the Township Committee of the Township of Union, County of Hunterdon, State of New Jersey, at a meeting held on the 17<sup>th</sup> day of April, 2013. The Ordinance was then ordered to be published according to law. Notice is hereby given that the said Ordinance will be considered for final passage at a public hearing to be held on 15 day of May, 2013, at 7:00 p.m., or as soon thereafter as the matter may be reached, at the Union Township Municipal Building, 140 Perryville Road, Hampton, New Jersey, at which time all interested parties will be heard.

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Ella M. Ruta, Clerk

**ORDINANCE #2013 - 3**

**AN ORDINANCE ADOPTING A FEE SCHEDULE FOR  
RECREATION PROGRAMS AND THE USE OF  
RECREATION FACILITIES IN THE TOWNSHIP OF UNION,  
COUNTY OF HUNTERDON, STATE OF NEW JERSEY**

**WHEREAS**, the Union Township Recreation Committee has recommended that the attached fee schedule for Township recreation programs, and for the use of Township recreation facilities by non-residents of the Township of Union be adopted, and good cause appearing;

**NOW THEREFORE BE IT ORDAINED** by the Township Committee of the Township of Union, in the County of Hunterdon, State of New Jersey, that the attached fee schedule for the above programs and usage fees is hereby established and approved; and

**SEVERABILITY.** If any section, paragraph, subdivision, clause or provision of this Ordinance shall be adjudged invalid, such adjudication shall apply only to the section, paragraph, subdivision, clause or provision so adjudged and the remainder of the Ordinance shall be deemed valid and effective.

**REPEALER.** All Ordinances or parts of Ordinances inconsistent with or in conflict with the Ordinance are hereby repealed to the extent of such inconsistency.

**EFFECTIVE DATE.** This Ordinance shall take effect after final passage, adoption and publication according to law.

Attest:

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Ella M. Ruta, Clerk

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Michele A. McBride, Mayor

First Reading: April 17, 2013

Publication: April 25, 2013

Public Hearing/

Adoption: May 15, 2013

Published by May 23, 2013

## TOWNSHIP OF UNION, HUNTERDON COUNTY

## Recreation Fee Schedule

Seasonal Fees – Individual

	<u>Resident</u>	<u>Non-resident</u>
1. Summer Camp	<b>\$50.00</b>	<b>\$60.00</b>
2. Spring Soccer (using uniform from the fall season)	<b>\$35.00</b>	<b>\$45.00</b>
3. Spring Soccer (need a uniform for the season)	<b>\$45.00</b>	<b>\$55.00</b>
4. Baseball K-2 <sup>nd</sup> grade (older kids through Community Athletics)	<b>\$50.00</b>	<b>\$60.00</b>
5. Adult Softball	<b>Free</b>	<b>N/A</b>
6. Tennis	<b>\$50.00</b>	<b>N/A</b>
7. Basketball 1 <sup>st</sup> -2 <sup>nd</sup> grade (to be increased)	<b>\$75.00</b>	<b>N/A</b>
8. Basketball 3 <sup>rd</sup> -8th grade (to be increased)	<b>\$85.00</b>	<b>N/A</b>
9. Fall Soccer (Registrations Received before July 31 <sup>st</sup> )	<b>\$65.00</b>	<b>\$75.00</b>
10. Fall Soccer (Registrations Received after July 31 <sup>st</sup> )	<b>\$85.00</b>	<b>\$95.00</b>
11. Field Hockey	<b>\$50.00</b>	<b>\$60.00</b>

Non-Resident Field Usage Fees\*

1. Soccer/Lacrosse/Field Hockey, field per game/practice	<b>\$70.00</b>
2. Soccer/Lacrosse/Field Hockey, field per week	<b>\$300.00</b>
3. Soccer/Lacrosse/Field Hockey, field per season	<b>\$500.00</b>
4. Baseball/Softball, field per game/practice	<b>\$70.00</b>
5. Baseball/Softball, field per week	<b>\$300.00</b>
6. Baseball/Softball, field per season	<b>\$500.00</b>
7. Finn Road Park Pavilion	<b>\$50.00</b>

\*Fees do not include field preparation such as lining and field dragging.

\*Local civic and recreational groups, having 51% or more members/participants who are residents of Union Township, will be entitled to use facilities free of charge. Please provide list of members/participants with names and addresses.

Roll Call Vote	Moved	Seconded	Ayes	Nays	Abstain	Absent
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## MINUTES OF REGULAR MEETING April 17, 2013

Mr. Severino		X	X			
Mr. Mazza			X			
Mr. Hirt			X			
Ms. McBride			X			
Mr. Bischoff	X		X			

Motion carried

- Louise's Diner Truck Stop property, we had a meeting with Lehigh Gas and they seemed to be amenable to working with us. Waiting for Lehigh response.
- Country Acres abandoned property. Waiting for Grace Brennan to provide information.
- Delaware Valley Septic Contract changes.
- Executive Session – Potential Negotiations
- Letter to Pilot about the Emergency Management Plan and Site Security Plan that are completed and reviewed and approved by the State Police and Fire Company.
- Working with Pam on Green Acres project to demolish two buildings in Hoffman Park.

#### b. Committee Report

Mr. Hirt reported the following:

- I have all three bids for the outside sidewalks and the lowest bid is Peter's Masonary \$6,580 to tear out and replace everything. Attorney requested business registration form.

**Motion to approve the lowest bid from Peter's Masonry in the amount of \$6, 580.00** subject to confirmation by the CFO on availability of funds and subject to the proper insurance certificate and proper Builders Registration Certificate.

Roll Call Vote	Moved	Seconded	Ayes	Nays	Abstain	Absent
Mr. Severino	X		X			
Mr. Mazza			X			
Mr. Hirt			X			
Ms. McBride			X			
Mr. Bischoff		X	X			

Motion carried

Mr. Severino reported the following:

- Our fence work is complete. The DR&F Foreman will have the necessary signage in place soon. We will make the transition to this building May 4th.
- We would like to accept tires at a nominal fee per tire to residents. I have numbers and cost and it would be a revenue source.

**Motion: Approve \$3.00 per tire for the recycling of the tires.**

Roll Call Vote	Moved	Seconded	Ayes	Nays	Abstain	Absent
Mr. Severino			X			
Mr. Mazza	X		X			
Mr. Hirt		X	X			

## MINUTES OF REGULAR MEETING April 17, 2013

Ms. McBride			X			
Mr. Bischoff			X			

**Motion carried**

- Saturday, June 8<sup>th</sup> will be the paper shred event 9am – 12pm. I am waiting for the contract confirming the date.
- The State is trying to cut back on the use of plastic grocery bags. We should consider purchasing re-useable grocery bags with future Clean Communities monies.

Mr. Bischoff reported the following:

- Quote “If you have been voting for politicians who promise to give you goodies at someone else’s expense, then you have no right to complain when they take your money and give it to someone else, including themselves.” Thomas Sowell.
- I met with the chief construction manager from Transco for a status update on the pipeline. He is setting up a protocol with Comcast for repairing cut lines and without charge to the affected residents. Completion expected for mid-June. I will be writing a letter to the community telling them what we did and what we talked about and I am sure they will continue to be happy with the fact that we are supporting their effort to get the job done, get it done right and leave.
- Suggested emptying the sheds of junk before they move.
- Union Township zoning fees in comparison to fees in neighboring municipalities and reset our zoning fees appropriately. Clerk to prepare spreadsheet. Discussion of requiring zoning application for in kind replacements/repairs.
- The last time I met with Grace Brennan, it was with regard to changing legislation which would no longer allow municipal bonds to be tax exempt. She is concerned about that and recommends that the Township Committee contact Senators Lautenberg and Menendez and their congressmen to urge them to oppose any effort to eliminate or limit the ability of the Municipalities to issue tax exempt bonds so with the advice of our CFO I would recommend that we draft a resolution that says that. Attorney will look for resolution.

Mr. Mazza reported the following:

- Made comments re: recycling so that the recyclables are put in the appropriate containers by days end.
- Thanked the road crew for chipping the mulch mountain, they did an outstanding job and all of it is done. Tub grinder \$3800.00 for two days including the fuel and \$1600.00 for the backhoe operator and \$25.00 a load to take to GreenRock. Thanks to Brian Plushanski, Rich Buxton and Henry from Pittstown for working with us, they did a great job.
- Brass Castle “Stop” lines/bars. Want the Engineer to work with Craig Hermann to ascertain whether the Association President wanted stop bars or crosswalks.
- Shed to be moved from here to the Park. The location that Jack Hara selected is not a good location because it is in a flood wet area. I will talk to Jack Hara if we can agree to another location.
- Golf cart needs new batteries at a cost of \$600.00. The Recreation Committee can purchase the batteries and the DR&F Foreman can install it.
- Scrap from the yard here, the boys did an excellent job cleaning up.
- Serpentine and Anderson do not have stop signs at the end of the roads on to Van Syckel. The Engineer and DR&F Foreman will look into the situation.
- Old Garage. Asked Committee to go and take a last look and give me opinion on what you feel should be done down there and what you have to say. I met with two contractors to make it presentable and clean it up. Two quotes \$3,500.00 and \$6,000.00. For the next meeting the Mayor asked Mr. Mazza to put together a full rooster of everything that will be required to bring that building up to make it look really nice and completely functional.

**Mayor's Report**

- This weekend the Cub Scouts want to leave 10-20 cars in the parking lot while they go to Philadelphia for a historical tour. The Committee agreed.
- I would like to make a Mayoral appointment to the Environmental Commission, Kara Cherney who lives in Country Acres. She will be Alternate II.
- Stream clean up is Saturday at 9:00am. We will meet at the corner of Midvale Drive and Race Street. Cleaning up two locations, one along Race St. and other one is on the other side of town in one of the hunter parking lots on Charlestown Road. All Committee members are invited.
- I did a radio show in Flemington at the Chamber of Commerce on Monday, April 15<sup>th</sup>. The discussion was on how to connect volunteer groups to community needs with Megan Holt and Janice Kovach.
- Trans Bridge meeting – Executive Session
- Shared service phone call – Executive Session
- NRCS Grant – This is the grant for Race St. I received a call from Linda Peterson of NRCS who would be the person working on the project with us. We received FEMA money so we are not eligible for money from the Federal Government. This was not my understanding and I will speak with the Engineer when he returns.
- Letter from Cynthia Yard thanking us for meeting with her and asked us to designate a liaison from the Committee and we agreed that Mr. Bischoff would do that. She asked if we would develop and deliver a township event and wanted to know what that was going to be. Mr. Bischoff would let her know that in due time. Ms. Yard had questions about banners and float and I will refer her to Mr. Bischoff.
- At the last meeting of the Planning Board requested a re-examination of the Master Plan and offered their comments on the chicken ordinance at their workshop. Comments will be at the next Township Committee Meeting.
- The Recreation Committee met yesterday with the PTA about registration that they do online electronically that works really well for them. Mayor told Mr. Hara to write a letter outlining this system and comparison with other software and come to the next meeting to present to Committee.
- The Historic Society will be bringing a small number of artifacts to the museum from the Milligan property. The bulk of the items will be shipped to the State.
- Computer problems in the building for the last two days are a concern. We need to review the MSI contract and the contract for Net Access that is our email system. Mayor requested clerk to ask CFO for the two vendor contracts for me to look at.

**d. Clerk's Report**

- Need a contract from Mr. Balzano.

**15. PUBLIC COMMENTS**

Bill Nelson, Bethlehem Township.

**16. PAYMENTS OF BILLS**

The approved list of bills and all claims against the Township of Union as appearing in the Claims Register of this date be paid and that all checks listed hereinafter be issued in payment thereof.

Roll Call Vote	Moved	Seconded	Ayes	Nays	Abstain	Absent
Mr. Severino			X			
Mr. Mazza			X			
Mr. Hirt		X	X			
Ms. McBride			X			



Mr. Bischoff	X		X			
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Motion carried

# 17. EXECUTIVE SESSION – Minutes; Litigation, Negotiations and Attorney Client Privilege

The following Resolution was introduced:

## RESOLUTION #2013-64

### Providing for a Meeting Not Open to the Public in Accordance with the Provisions of the New Jersey Open Public Meetings Act, N.J.S.A. 10:4-12

**WHEREAS**, the Township Committee of the Township of Union is subject to certain requirements of the *Open Public Meetings Act*, N.J.S.A. 10:4-6, et. seq.; and

**WHEREAS**, the *Open Public Meetings Act*, N.J.S.A. 10-4-12, provides that an Executive Session, not open to the public, may be held for certain specified purposes when authorized by Resolution; and

**WHEREAS**, it is necessary for the Township Committee of the Township of Union to discuss in a session not open to the public certain matters relating to the item or items authorized by N.J.S.A. 10:4-12b and designated below:

1. \_\_\_\_\_ *Matters Required by Law to be Confidential*: Any matter which, by express provision of Federal law or State statute or rule of court shall be rendered confidential or excluded from the provisions of the Open Public Meetings Act.
2. \_\_\_\_\_ *Matters Where the Release of Information Would Impair the Right to Receive Funds*: Any matter in which the release of information would impair a right to receive funds from the Government of the United States.
3. \_\_\_\_\_ *Matters Involving Individual Privacy*: Any material the disclosure of which constitutes an unwarranted invasion of individual privacy such as any records, data, reports, recommendations, or other personal material of any educational, training, social service, medical, health, custodial, child protection, rehabilitation, legal defense, welfare, housing, relocation, insurance and similar program or institution operated by a public body pertaining to any specific individual admitted to or served by such institution or program, including but not limited to information relative to the individual's personal and family circumstances, and any material pertaining to admission, discharge, treatment, progress or condition of any individual, unless the individual concerned (or, in the case of a minor or incompetent, his guardian) shall request in writing that the same be disclosed publicly.
4. \_\_\_\_\_ *Matters Relating to Collective Bargaining Agreements*: Any collective bargaining agreement, or the terms and conditions which are proposed for inclusion in any collective bargaining agreement, including the negotiation of the terms and conditions thereof with employees or representatives of employees of the public body.
5. \_\_\_\_\_ *Matters Relating to the Purchase, Lease of Acquisition of Real Property or the Investment of Public Funds*: Any matter involving the purchase, lease or acquisition of real property with public funds, the setting of banking rates or investment of public funds, where it could adversely affect the public interest if discussion of such matters were disclosed.

## MINUTES OF REGULAR MEETING April 17, 2013

6. \_\_\_\_\_ *Matters Relating to Public Safety and Property:* Any tactics and techniques utilized in protecting the safety and property of the public, provided that their disclosure could impair such protection. Any investigations of violations of possible violations of the law.
7.   X   *Matters Relating to Litigation, Negotiations and the Attorney-Client Privilege:* Any pending or anticipated litigation or contract negotiation in which the public body is, or may become a party. Any matters falling within the attorney-client privilege, to the extent that confidentiality is require in order for the attorney to exercise his ethical duties as a lawyer.
8. \_\_\_\_\_ *Matters Relating to the Employment Relationship:* Any matter involving the employment, appointment, termination of employment, terms and conditions of employment, evaluation of the performance of promotion or disciplining of any specific prospective public officer or employee or current public officer or employee employed or appointed by the public body, unless all the individual employees or appointees whose rights could be adversely affected request in writing that such matter or matters be discussed at a public meeting.
9. \_\_\_\_\_ *Matters Relating to the Potential Imposition of a Penalty:* Any deliberations of a public body occurring after a public hearing that may result in the imposition of a specific civil penalty upon the responding party or the suspension or loss of a license or permit belonging to the responding party bears responsibility.

**NOW, THEREFORE, BE IT RESOLVED** by the Township Committee of the Township of Union, assembled in public session on April 17, 2013, at 8:54 p.m. in the Union Township Municipal Building, 140 Perryville Road, Hampton, New Jersey, for the discussion of matters relating to the specific items designated above.

It is anticipated that the deliberations conducted in closed session may be disclosed to the public upon the determination of the Township Committee that the public interest will no longer be served by such confidentiality.

Roll Call Vote	Moved	Seconded	Ayes	Nays	Abstain	Absent
Mr. Severino	X		X			
Mr. Mazza			X			
Mr. Hirt		X	X			
Ms. McBride			X			
Mr. Bischoff			X			

Motion carried

**Motion to come out – 9:07 p.m.**

Roll Call Vote	Moved	Seconded	Ayes	Nays	Abstain	Absent
Mr. Severino	X		X			
Mr. Mazza			X			
Mr. Hirt		X	X			
Ms. McBride			X			
Mr. Bischoff			X			

Motion carried

**18. ADJOURNMENT** – There being no further business to come before the Township Committee at this time, Mr. Bischoff made a motion to adjourn the meeting at 9:07 p.m. Mr. Severino seconded the motion. Motion carried by unanimous favorable roll call vote.

Respectfully submitted,

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Ella M. Ruta, Municipal Clerk

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Michele McBride, Mayor

Prepared by: Patricia Essig, Deputy Clerk